Doc Code: AP.PRE.REQ

PRE-APPEAL BRIEF REQUEST FOR REVIEW

	Docket Number (Optional)
	01275; 190254-1130

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]	Application Number	Filed
	09/977,143	October 12, 2001
on _____	First Named Inventor	
Signature _____	Hanevold, et al.	
	Art Unit	Examiner
Typed or printed name _____	2178	Kyle R. Stork

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).
     Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
     See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
     (Form PTO/SB/96)

☑ attorney or agent of record.
     Registration number 55,012

☐ attorney or agent acting under 37 CFR 1.34.

     Registration number if acting under 37 CFR 1.34 _____

/afb/
_____
                    Signature

Anthony F. Bonner
                    Typed or printed name

770-933-9500
                    Telephone number

June 5, 2009
                    Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

☐   *Total of _____ forms are submitted.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

     Hanevold

Serial No.: 09/977,143

Filed: October 12, 2001

Confirmation No.: 2338

Group Art Unit: 2178

Examiner: Stork, Kyle R.

Docket No.: 01275; 190254-1130

For: **Method for Preventing Inadvertent Data Entry in a Web Page**

<u>**REMARKS IN SUPPORT OF PRE-APPEAL BRIEF CONFERENCE**</u>

Mail Stop Appeal Brief
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

     Applicant submits the following remarks in support of a Request for a Pre-Appeal Brief

Conference.

REMARKS

Applicant submits that the following clear legal deficiency exists in the rejection. Namely, the Final Office Action and Advisory Action equate the claim element "*during processing of the user input to prevent duplicative execution of the executable script from subsequent user input, wherein upon completion of processing of the user input, the executable script renders the data input screen accessible*" with a "lock controller [that] prevents active access o the aspect data structure once the lock data structure is created" (*Barlow* column 2, line 7). Even if *Barlow*, discloses rendering a portion of a page inaccessible, this is performed on a permanent basis, unless explicitly "unlocked" by a user, which is completely different than the claims of the present application.

Claims 1 – 17 and 24 are Allowable Over *Brown*, *Barlow*, and *Wagner*

The Office Action indicates that claim 1 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Number 6,278,448 ("*Brown*"), U.S. Patent Number 6,275,935 ("*Barlow*"), and U.S. Patent Number 6,085,224 ("*Wagner*"). More specifically, claim 1 recites:

> A method for preventing data entry via a data input screen on a client device, comprising:
> rendering source code that defines the data input screen in the client device;
> defining an executable script within the source code; and
> executing the executable script in response to user input, wherein the executable script operates within the client device to render the data input screen inaccessible **during processing of the user input to prevent duplicative execution of the executable script from subsequent user input, wherein upon completion of processing of the user input, the executable script renders the data input screen accessible**;
> wherein executing further comprises:
> associating the executable script with a predetermined z-index number for a web page; and
> rendering inaccessible those data entry elements associated with the web page that have a z-index number lower than the predetermined z-index number.

(Emphasis added).

Claim 1 is allowable for at least the reason that none of *Brown*, *Barlow*, and *Wagner*, taken alone or in combination, discloses, teaches, or suggests a "method for preventing data entry via a data input screen on a client device… wherein the executable script operates within the client device to render the data input screen inaccessible ***during processing of the user input to prevent duplicative execution of the executable script from subsequent user input, wherein upon completion of processing of the user input, the executable script renders the data input screen accessible***" as recited in claim 1. While it is unclear whether the Final Office Action is using *Barlow* or *Wagner* to reject this portion of the claims, if the Examiner is trying to use *Barlow*, Applicant disagrees. More specifically, *Barlow* discloses a locking mechanism to <u>permanently lock</u> end users from modifying a software application, which is clearly different than claim 1. Additionally, the Advisory Action argues that *Barlow* discloses this element in column 1, line 66 – column 2, line 10 and in FIG. 19. However, as illustrated above, this section of *Barlow* merely illustrates that an "aspect" may be locked. Nowhere does *Barlow* even suggest that this "aspect" can be unlocked, not to mention unlocking the "aspect" in response to completion of processing of user input. Further, FIG. 19 also illustrates this point. More specifically, FIG. 19 clearly illustrates a six (6) block flowchart that is completely devoid of any discussion on unlocking the "aspect" of an object. The flowchart (and accompanying description) merely illustrate that when an "aspect" is locked, the user may not modify the "aspect" and if not, the user may modify the "aspect." For at least the reason that there is not even a suggestion of rendering a data input screen accessible <u>upon completion of processing of user input</u>, *Barlow* is completely deficient and claim 1 should be allowed.

Further, if the Final Office Action intends to reject claim 1 under *Wagner*, Applicant traverses this rejection for at least the reason that *Wagner* discloses that a "seventh digit in the map data determines whether a FORM 'submit' script command will be provided to the

application program… the digit value of one causes the scanner to disable the FORM 'submit' command so it may be displayed for the user by the application program without execution" (column 13, line 13), which is completely different than claim 1. While the Final Office Action broadly argues that column 14, line 43 – column 16, line 47 (covering a full page of text) discloses a "method for preventing data entry via a data input screen on a client device… wherein the executable script operates within the client device to render the data input screen inaccessible *during processing of the user input to prevent duplicative execution of the executable script from subsequent user input, wherein upon completion of processing of the user input, the executable script renders the data input screen accessible*," nowhere in this passage does *Wagner* even suggest anything that resembles this portion of claim 1.

In fact, Applicant can only assume that by citing such a large passage that has no relevancy to the claim, the Final Office Action is in error regarding the relevant passages. However, even when referring to the most applicable portions of *Wagner*, there is no suggestion of this element for at least the reason that simply disabling a form submit command is different than "render[ing] the data input screen inaccessible *during processing of the user input to prevent duplicative execution of the executable script from subsequent user input, wherein upon completion of processing of the user input, the executable script renders the data input screen accessible*" as recited in claim 1. For at least these reasons, claim 1 is allowable.

Additionally, claims 1 – 4 are allowable for at least the reason that these claims depend from allowable independent claim 1. Further, these arguments may apply to relevant portions of claims 5 – 18 and 24.

CONCLUSION

For at least the reasons set forth above, favorable reconsideration and allowance, or the re-opening of prosecution on the merits of the present application and all pending claims are hereby courteously requested.

Respectfully submitted,

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

_____/afb/_____
Anthony F. Bonner Jr., Reg. No. 55,012

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